

Attorney's Docket No.: 09736-242001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pedersen et al. Art Unit: 3763
Serial No.: 10/729,782 Examiner: Unknown

Filed: December 5, 2003

Title : BRACHYTHERAPY APPLICATOR CHUCK

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

The following correspondence relating to this application is enclosed for filing:

1. Power of Attorney by Assignee and Election of Assignee to Conduct Prosecution to Exclusion of Inventors (2 pages).

Please date stamp and return the enclosed postcard. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 2, Love

Elizabeth N. Kaytor, Ph.D.

Reg. No. 53,103

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#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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June 2, 2004

Signature

Theresa Popehn
Typed or Printed Name of Person Signing Certificate

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# POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTORS

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints

Mark S. Ellinger, Ph.D., Reg. No. 34,812

Monica McCormick Graham, Ph.D., Reg. No. 42,600

Greg A. McAllister, Reg. No. 47,779 Raymond R. Berdie, Reg. No. 50,769

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Ruffin B. Cordell, Reg. No. 33,487

as its attorney to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR §3.71 et seq. of the Patent Office Rules of Practice.

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Page : 2 of 2

Ownership is in the Assignee by virtue of the assignment documents filed on May 4, 2004. The documents evidencing ownership have been reviewed and to the best of the Assignee's knowledge and belief, title is in the Assignee.

Please direct all communications regarding the application to the agent at the address and telephone numbers indicated below.

Elizabeth N. Kaytor, Ph.D. FISH & RICHARDSON P.C., P.A. 60 South Sixth Street Suite 3300 Minneapolis, MN 55402 Telephone: (612) 335-5070

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Signature: Adul Mcchan

Typed name: Adel Hichael

Date: 5-17-2004

Title: Vice Chairman, CFO

Assignee: Mentor Corporation

### ENK/tzp

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